

A. G. Contract No. KR94 1040TRN  
ECS File No.: JPA 94-91  
Project: IM-10-6(121)/  
Section: I-10 Willcox

**INTERGOVERNMENTAL AGREEMENT**  
BETWEEN  
THE STATE OF ARIZONA  
AND  
COCHISE COUNTY, ARIZONA

THIS AGREEMENT is entered into 8 September, 1995, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and COCHISE COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

3. As part of the State's original I-10 Willcox Bypass construction project, the State acquired an approximately one half mile section for crossover of Stewart Road over I-10. The County and the State now desire to improve the roadway, via upgrade guardrail and connections to bridge rail, apply asphalt rubber-asphaltic concrete friction course and install roadway striping, at an estimated cost of \$50,000.00, all at State expense, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. <u>20095</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>09/08/95</u>
<i>Jane Lee Hill</i> Secretary of State
By <i>Vicky V. Greenwald</i>

II. SCOPE OF WORK

1. The State will:

a. Provide to State standards design plans, specifications and such other documents and services required for construction bidding and construction.

b. By change order to an existing construction contract, award the Project for construction. Administer same and make all payments to the contractor(s). Be responsible for all costs associated with the Project, and for any contractor claims for extra compensation.

c. Upon completion of the improvements, and upon approval and by resolution of the State Transportation Board, abandon jurisdiction and maintenance responsibility for Stewart Road, as shown on exhibit A, which is attached hereto and made a part hereof, to the County. Associated bridge structures will remain the property and responsibility of the State.

2. The County will:

a. Upon approval and by resolution of the State Transportation Board, accept jurisdiction and maintenance responsibility for Stewart Road, except for the bridge structures. Waive the four year advance notification requirements of Arizona Revised Statute 28-106.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and transfer of jurisdiction; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a Project construction contract or change order, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Cochise County  
County Manager  
PO Box 225  
Bisbee, AZ 85603

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

COCHISE COUNTY, ARIZONA

STATE OF ARIZONA

Department of Transportation

By   
TONY SARACINO, Chairman  
Board of Supervisors

By   
PETER L. ENO  
Contract Administrator

ATTEST

By   
NADINE PARKHURST  
Clerk of the Board

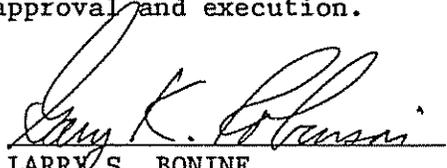
JPA 94-91

RESOLUTION

BE IT RESOLVED on this 11th day of May 1994, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with Cochise County for the purpose of defining responsibilities for the design and construction of improvements to Airport Road and Stewart Road near Willcox B-10, and the subsequent abandonment of both to the County.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.

FOR:

  
LARRY S. BONINE  
Director

**PROCEEDINGS OF THE MEETING OF  
THE BOARD OF SUPERVISORS**

**AUGUST 07, 1995**

At a formal meeting of the Cochise County Board of Supervisors held on Monday 07 August, 1995 in the Hearing Room of the Cochise County Board of Supervisors located at 1415 W. Melody Lane, Bisbee, Arizona, the following were present:

Tony Saracino	- Chairman
Mike Palmer	- Member
Leslie Thompson	- Member
Jody Klein	- County Administrator
Nadine Parkhurst	- Clerk
Paula Wilk (AM)	- Deputy County Attorney
John MacKinnon (PM)	- Deputy County Attorney

**CALL TO THE PUBLIC**

Chairman Saracino made a call to the public to which no one responded.

**APPROVAL OF THE AGENDA**

**THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING**

**CONSENT AGENDA**

- ITEM 1 - APPROVAL OF MINUTES OF THE BOARD MEETING OF JULY 17 AND SPECIAL BOARD MEETINGS OF JULY 17, 24 AND 26, 1995
- ITEM 2 - RESIGNATION OF PAUL DICKEY FROM THE PLANNING AND ZONING COMMISSION FOR DISTRICT NO. 3 AND APPOINTMENT OF JIM WALES TO THE PLANNING AND ZONING COMMISSION FOR DISTRICT NO. 3
- ITEM 3 - AMENDMENT NO. 6 TO AHCCCS CONTRACT NO. YH3-0027-01 FOR ARIZONA LONG TERM CARE SERVICES
- ITEM 4 - AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN ARIZONA CHILD CARE RESOURCES AND COCHISE COUNTY HEALTH AND SOCIAL SERVICES TO EXTEND DATE OF SERVICES TO SEPTEMBER 30, 1995
- ITEM 5 - APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN COCHISE COMMUNITY COLLEGE AND COCHISE COUNTY HEALTH AND SOCIAL SERVICES FOR THE PURPOSE OF PROVIDING CLINICAL EXPERIENCE/TRAINING FOR COLLEGE NURSING STUDENTS
- ITEM 6 - APPROVAL TO RE-AWARD BID NO. 4095 TO PURCHASE AN ABOVE GROUND FUEL TANK FOR THE ELFRIDA ROADYARD TO WESTERN TANK SYSTEMS, INC.

The motion unanimously carried.

**ITEM 19 - DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION NO. 95 - 55, AUTHORIZING THE ISSUANCE AND SALE OF \$4,700,000 PRINCIPAL AMOUNT OF DOUGLAS UNIFIED SCHOOL DISTRICT NO. 27 OF COCHISE COUNTY, ARIZONA, SCHOOL IMPROVEMENT BONDS**

A motion was made by Supervisor Palmer and seconded by Supervisor Thompson to adopt Resolution 95-55.

Clerk of the Board Nadine Parkhurst indicated that these bonds were approved by the voters and the rate of interest for the sale of these bonds was in the range of 4.00 to 5.60%. The motion unanimously carried.

**ITEM 20 - DISCUSSION AND POSSIBLE APPROVAL OF THE AWARD OF RFP NO. 996 FOR NONEMERGENCY WHEELCHAIR AND STRETCHER TRANSPORTATION**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to award Contract #996-A to American Red Cross for the provision of Non Emergency Wheelchair and Stretcher Transportation originating in Cochise County and that Contract #996-B be awarded to A & K Transportation (aka Handi Car) for non emergency wheelchair and stretcher transportation originating in metro Tucson. The term of said contracts is to be August 9, 1995 to September 30, 1996.

Contract Administrator Sally Olson explained that this contract was awarded last for a two year period. However, the contractor Safe Ride Services, was unable to satisfactorily perform and have been terminated. This contract was put for bid once again and after a thorough review, Ms. Olson recommended the following:

- American Red Cross for transports originating in Cochise County
- A & K Transportation originating in Tucson Metro Area and secondary backup for transport between Tucson and Cochise County.

The motion unanimously carried.

**ITEM 21 - DISCUSSION AND POSSIBLE APPROVAL OF THE COURT/JAIL AGREEMENT WITH THE CITY OF SIERRA VISTA**

A motion was made by Supervisor Palmer and seconded by Supervisor Thompson to approve the court/jail agreement with the City of Sierra Vista.

The agreement has been in place for several years and has worked well for both entities. The motion unanimously carried.

**ITEM 22 - DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED IGA WITH ADOT FOR THE STEWART ROAD IMPROVEMENTS**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to approve the IGA between ADOT and Cochise County for a portion of Stewart Road and authorize the Chairman to sign.

Highway and Floodplain Director Allon Owen explained that ADOT constructed this section of road (0.5 mile) and would like to pass the jurisdiction and maintenance responsibility to the County. The bridge structures located on this portion of road would be excepted from this agreement and ADOT would retain ownership and maintenance responsibility for this structure. The motion unanimously carried.

**ITEM 23 - DISCUSSION AND POSSIBLE APPROVAL OF IGA FOR COOPERATIVE STREET MAINTENANCE AND IMPROVEMENTS BETWEEN THE CITY OF SIERRA VISTA AND COCHISE COUNTY**

- ITEM 7 - APPROVAL TO RENEW CONTRACT NO. 695, AUCTIONEER SERVICES FOR THE PERIOD OF SEPTEMBER 1, 1995 THROUGH AUGUST 31, 1996
- ITEM 8 - AMENDMENT OF INTERGOVERNMENTAL AGREEMENT NO. 01-11-U-20147-0495 BETWEEN PIMA COUNTY AND COCHISE COUNTY SHERIFF'S OFFICE
- ITEM 9 - APPROVAL OF AGREEMENT WITH USCF/ARIZONA CYCLING CHAMPIONS FOR THE BICYCLE RACES WHICH WILL TAKE PLACE ON SEPTEMBER 16 AND 24, 1995
- ITEM 10 - APPROVAL OF AGREEMENT WITH SEVENTH TOUR OF THE FUTURE; REGION 6 CHAMPIONSHIPS FOR THE BICYCLE RACES WHICH WILL TAKE PLACE ON AUGUST 10 THROUGH 13, 1995
- ITEM 11 - APPROVAL OF STATE SUPREME COURT FUNDING AGREEMENTS FOR FY 95-96 FOR ADULT PROBATION IPS, CPP AND SAE
- ITEM 12 - APPROVAL OF AMENDMENT NO. 1 TO THE MEDICAL EXAMINER CONTRACT TO REFLECT A MONTHLY FORM OF PAYMENT VERSUS BIANNUALLY
- ITEM 13 - APPOINTMENT OF DAVID EPPELE AS THE SECRETARY-TREASURER FOR THE NACO FIRE DISTRICT
- ITEM 14 - APPOINTMENT OF BETTY KING, DIRECTOR OF HEALTH AND SOCIAL SERVICES, TO THE SOUTHEASTERN ARIZONA REGIONAL EMS COUNCIL FOR A ONE YEAR TERM EFFECTIVE IMMEDIATELY
- ITEM 15 - APPROVAL OF THE CHILD SUPPORT ENFORCEMENT IV-D CONTRACT, 1994-95 AMENDMENT FOR TRAVEL EXPENSES
- ITEM 16 - ACCEPTANCE OF RESIGNATION BY STANLEY BROWN, HUM STATION MANAGER, AMERICAN RED CROSS, FROM THE COCHISE PRIVATE INDUSTRY COUNCIL BOARD

A motion was made by Supervisor Palmer and seconded by Supervisor Saracino to approve items 1 through 16 of the Consent Agenda. The motion unanimously carried.

#### ACTION AGENDA

##### **ITEM 17 - PURCHASE REQUISITIONS**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to approve the purchase requisitions as presented. The motion unanimously carried.

##### **ITEM 18 - DEMANDS AND SCHOOL RESERVE FUND VOUCHER NO. 3**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to approve the demands in the amount of \$ 777,883.16 and school reserve fund voucher no. 3. A motion also included the authorization to pay a demand over six-months old (July 21, 1993) for the amount of \$3,442.79 to the Southeastern Medical Center in Douglas as the County lost the appeal on payment. Warrants No. 1051 - 1609 were issued from the following funds: (Warrants No. 1048, 1049 and 1050 were canceled.)

FUND 100 GENERAL FUND	\$ 246,835.16
FUND 103 DOCUMENT STORAGE-RECORDER	1,755.00
FUND 105 BISBEE/DOUGLAS AIRPORT	842.11
FUND 109 FLEET MANAGEMENT	25,977.31
FUND 124 ATTY ANTI-RACKETEERING	2,756.37
FUND 125 ATTY VICTIM ASSISTANCE	339.68
FUND 128 ATTY IV-D INCENTIVE	1,199.17
FUND 131 ATTY DIVERSION	500.00
FUND 137 VICTIM RIGHTS	475.44
FUND 147 ADULT PROB. SVCS. FEE	2,682.53
FUND 151 LAW LIBRARY	3,738.82
FUND 153 JUV. PROB. STATE AID ENHANCEMENT	8,596.80
FUND 155 P.I.C.	10,774.14
FUND 157 CASA PROBATION GRANT	1,459.07
FUND 158 ADULT PROB. I P S. GRANT	41,398.30
FUND 159 JUV. PROB. SURVEILLANCE GRANT	1,667.36
FUND 168 YOUTH TREATMENT REHAB.	385.54
FUND 171 COUNTY LIBRARY	2,132.58
FUND 175 FRIENDS OF THE LIBRARY	47.83
FUND 178 LSCA GRANT #95-1-2(33)	374.68
FUND 192 J.T.P.A.	60,052.00
FUND 208 SHERIFF INMATE WELFARE	118.11
FUND 212 AZ CRIMINAL JUSTICE GRANT	927.02
FUND 223 TEEN PRENATAL EXPRESS	31.03
FUND 224 HOME HEALTH	492.00
FUND 225 NUTRITION GRANT	5,285.59
FUND 226 M.C.H. GRANT	143.50
FUND 228 W.I.C. GRANT	2,018.42
FUND 230 PREVENTIVE HEALTH	520.92
FUND 232 FAMILY PLANNING	6,038.63
FUND 233 AIDS GRANT	2,285.82
FUND 238 IN-HOME RESPITE GRANT	424.26
FUND 241 HIV OUTPATIENT & SUPPORT SERVICES	3,078.32
FUND 242 PUBLIC FIDUCIARY GRANTS	300.13
FUND 243 IMMUNIZATION PROGRAM	45.95
FUND 244 TB BORDER PROJECT	1,292.97
FUND 245 HEALTH START	2,608.95
FUND 251 HIGHWAYS	41,263.79
FUND 258 NACO HIGHWAY REALIGNMENT	10,618.40
FUND 261 FLOOD CONTROL DISTRICT	951.39
FUND 271 HOUSING	1,007.97
FUND 400 COUNTY CAPITAL PROJECTS	3,571.46
FUND 505 SOLID WASTE	32,385.03
FUND 508 COCHISE HEALTH SYSTEMS	226,270.12
FUND 601 MGMT INFO SYSTEMS	3,105.30
FUND 602 COMMUNICATIONS	19,047.19
TOTAL	\$777,883.16

A motion was made by Supervisor Palmer and seconded by Supervisor Thompson to approve the IGA for cooperative street maintenance and improvements between the City of Sierra Vista and Cochise County and authorize the Chairman to sign.

Highway and Floodplain Director Allon Owen explained that this agreement calls for cooperative arrangements in the stripping, street sweeping and road maintenance along Seventh Street and the Montebello Subdivision. This cooperative agreement has been beneficial for both entities and Mr. Owen recommended approval. The motion unanimously carried.

**ITEM 24 - DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION NO. 95 - 56, ABANDONING THAT PORTION OF THE PRINCE ROAD RIGHT-OF-WAY TRAVERSING THE BRADFORD PROPERTY**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to adopt Resolution 95-56 abandoning that portion of the Prince Road right-of-way traversing the Bradford Property.

Highway and Floodplain Director Allon Owen stated that a request was received from Mr. Burt Bradford, owner of parcel 407-13-007 requesting the abandonment of 100 foot right-of-way for Prince road. Mr. Owen explained that Prince Road was considered for a major road project to be paid by federal funds. However, due to drainage issue, that project was abandoned. However, the right-of-way has remained on the books. After review, it was determined that no problems are foreseen with this action. The County, however, does want to retain the South 50.00 ft of the right-of-way traversing the property as it is a section road and could be useful in terms of future planning. The motion unanimously carried.

**ITEM 25 - DISCUSSION AND POSSIBLE AWARD OF RFP NO. 696, LOCAL AREA NETWORK (LAN) MAINTENANCE**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to award Contract #696 for local area network (LAN) maintenance for the period of August 7, 1995 through August 6, 1996 with the option to renew for up to four one-year periods at terms and conditions acceptable to both parties to Southwest Systems Engineering Corporation, in the amount of \$16,800.

The cost of this maintenance contract will be paid out of RICO funds. The motion unanimously carried.

**ITEM 26 - DISCUSSION AND POSSIBLE APPROVAL OF A TRANSFER OF A FORFEITURE VEHICLE TO THE CITY OF WILLCOX POLICE DEPARTMENT**

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to approve the transfer of a 1985 Ford Van VIN #1FDEE14H8FHA08415 currently registered to the Cochise County Board of Supervisors, to the City of Willcox.

This van was seized and forfeited as a result of a narcotics investigation conducted by the Board Alliance Group. Sheriff Pintek favored the transfer of the title of this unit to the Willcox Police Department to better serve the needs of the joint task force. The motion unanimously carried.

**ITEM 27 - ITEM FOR DISCUSSION**

- **SUPPORT OF THE CITY OF SIERRA VISTA IN PURSUING A STATE WATER PROTECTION FUND GRANT TO ENHANCE ITS PROGRAMS FOR EFFLUENT AND FLOOD WATER RECHARGE**

Chairman Saracino explained that a request was received from the City of Sierra Vista for a letter of support in supporting a state water protection fund grant. This letter of support was mailed to Mr. George Michael, City of Sierra Vista on July 26, 1995 and stated (excerpts read by Chairman Saracino):

"As you know the Board of Supervisors has been very active and very concerned with water issues in the San Pedro Riparian Area. We see the City's proposal as a giant step in the right direction towards sound resource management. We are especially interested in the major features of your proposal because of their applicability to developments throughout the County". No motion was made on this item.

**ITEM 28 - PUBLIC HEARING: 1:30 P.M.**

**(A) DOCKET Z-95-05 (BAUMAN), A REQUEST TO REZONE PARCEL NO. 104-85-001M FROM RU-4 TO RU-2. THE SUBJECT PARCEL IS IN THE HEREFORD AREA APPROXIMATELY ONE QUARTER OF A MILE EAST OF SOUTH Y LIGHTNING RANCH ROAD**

Planner Bayer Vella explained that a request for rezoning from RU-4 to RU-2 was received from Mr. Bauman for parcel 104-85-001M (8.93 acres). The parcel is located approximately 1/4 of a mile east of South Lightning Ranch Road. The reason for the request to rezone is to place four mobile homes each on a two acres parcel.

Planner Vella explained that the Planning and Zoning Commission recommended denial of this rezoning for the following reasons:

- The proposed rezoning to a more intense density would create future development pressures in an area with inadequate roads and utilities.
- The proposed rezoning would create a pocket of RU-2 zoning
- The applicant would be creating a mobile home park without having to adhere to the site development standards
- The Highway and Floodplain Department has received numerous complaints from area residents in regard to substandard road conditions. Doubling the density in this area would only create additional problems.

Planner Vella indicated that at least 20% by number and area of the surrounding property owners (within 300 feet of the subject parcel) are protesting the application. In accord with statutes, a 3/4 majority must favor adoption of this rezoning.

Chairman Saracino indicated that this was the time for the general public to make comments for or against this docket.

Mr. Alvin Busse representing 23 individuals explained that neighbors located on Sooty Lane, Veterans Lane and Lazy K Lane are opposed to this rezoning for the reasons listed above. Mr Busse also stated that property owners bought land in this rural area because of the low density and they desire to preserve their rural, peaceful lifestyle.

A motion was made by Supervisor Thompson and seconded by Supervisor Palmer to deny Docket Z-95-05. The motion unanimously carried.

**(B) DISCUSSION AND POSSIBLE AUTHORIZATION FOR THE SHERIFF TO CHARGE EACH INMATE WHICH IS COMMITTED TO JAIL BY COMPETENT AUTHORITY A REASONABLE FEE OR COPAYMENT OF NOT MORE THAN THREE DOLLARS FOR EACH INMATE INITIATED HEALTH SERVICE IN ACCORDANCE WITH A.R.S. 31-151, EFFECTIVE JULY 13, 1995**

Chairman Saracino indicated that this was the time for the general public to make comments for or against the establishment of \$3.00 fee for inmate initiated health service. No response.

Jail Commander Ron Hager explained that no one will be refused medical care. Those inmates who do not have any money in their "account" will be seen by medical staff and a negative balance will be placed on their inmate account. If an inmate claims a medical emergency and, after examination by medical staff, it is determined not to be an emergency, the fee will be charged. The medical services which will require a co-payment will be: Sick Call, Dentist visit, Doctor Visit, Prescription Drug Handling Fee and Medical Transportation to the inmate own's physician (\$80.00 base fee). Commander Hager explained that a video tape in English and Spanish will be viewed by the inmates during the week of 7 August, 1995 and the effective date of this new policy will be 14 August, 1995. The motion unanimously carried.

No further business being presented at this time, Chairman Saracino declared the meeting adjourned. The next regularly scheduled meeting of the Cochise County Board of Supervisors will be held on Monday 21 August, 1995 at 10:00 A.M. in the Hearing room of the Cochise County Board of Supervisors located at 1415 W. Melody Lane, Bisbee, Arizona.

APPROVED:

  
Tony Saracino, Chairman

ATTEST:

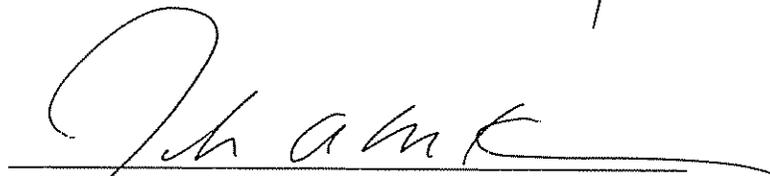
  
Nadine Parkhurst, Clerk

**(SUPPORTING DOCUMENTATION IS AVAILABLE AT THE BOARD OF SUPERVISORS' OFFICE)**

APPROVAL OF THE COCHISE COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and COCHISE COUNTY and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 3<sup>rd</sup> day of July, 1995.

A large, stylized handwritten signature in black ink, appearing to read "Shank", is written over a horizontal line.

County Attorney





STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025

TELECOPIER : 542-4085

GRANT WOODS  
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT  
DETERMINATION

A. G. Contract No. KR94-1040-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 29th day of August, 1995.

GRANT WOODS  
Attorney General

A handwritten signature in cursive script, reading "James R. Redpath", written over a horizontal line.

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:lsr  
8918G/90